

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ROSS LYNN LANE,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-10-1356-M
)	
NORTH WINDS LIVING CENTER, INC.,)	
<i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On December 15, 2010, plaintiff commenced this action against defendants North Winds Living Center, Inc., Kelly Jones, Teresa Johnson, Kathy Terry, and Stacey LNU. On August 2, 2011, the Court directed plaintiff to file a change of address with the Court. Plaintiff has not filed a change of address and, as a result, the Court has received returned mail to plaintiff marked as undeliverable.

Every court has the inherent power in the exercise of sound discretion to dismiss a cause for want of prosecution. *See Stanley v. Continental Oil Co.*, 536 F.2d 914, 917 (10th Cir. 1976); *e.g.*, *Link v. Wabash Railroad*, 370 U.S. 626 (1962) (inherent power vested in courts to manage own affairs so as to achieve orderly and expeditious disposition of cases). The propriety of such a decision depends on the procedural history of the particular case involved. *See Petty v. Manpower, Inc.*, 591 F.2d 615, 617 (10th Cir. 1979).

The procedural history of this case indicates that plaintiff has taken no action since the Court directed plaintiff to file a change of address. The Court has the inherent power to clear its calendar of a case that has remained dormant because of the inaction of the party seeking relief. Particularly, plaintiff's failure to file a change of address has rendered him unable to receive correspondence in the case at bar and has prevented this matter from furthering towards a disposition. In balancing the

harshness of dismissal without prejudice against the necessity of bringing the case to a point where it can be resolved, the Court finds that plaintiff's Complaint should be and is hereby DISMISSED without prejudice.

IT IS SO ORDERED this 27th day of October, 2011.


VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE